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EXTRAORDINARY

PART II—Section 3—Sub-section (1)

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MINISTRY OF FINANCE

(Department of Revenue)

NOTIFICATION

CUSTOMS

New Delhi, the 3rd August, 1958

G.S.R. 661-A.—In exercise of the powers conferred by section 23 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, and in supersession of the notification of the Government of India in the Ministry of Finance (Department of Revenue) No. 176 dated the 19th May, 1958, the Central Government hereby exempts the goods specified in column 1 of the Table below, when imported into India or the State of Pondicherry, from the whole of the customs duty leviable thereon, subject to the terms and conditions specified in column 2 of the said Table:

TABLE

Name of goods 1	Terms and conditions of exemption 2
1. Vehicles as defined in Article 1 of the Convention.	1. The following persons are excluded from the benefits of the exemption :
2. Fuel and component parts referred to in Articles 3 and 4 respectively of the convention.	(a) legal persons referred to in Article 1(c) of the convention ;
	(b) persons normally resident outside India (or the State of Pondicherry), who on the occasion of a temporary visit to India (or the State of Pondicherry) take up paid employment or any other form of gainful occupation,
	2. The importer shall—
	(a) be a member of an Automobile Club or Association belonging to the Federation Internationale De L' Automobile or to the Alliance Internationale de Tourisme;

(b) produce to the Customs Collector for the purpose of the same being duly signed and stamped by him the triptych or Carnet de Passages en Douane issued by the Federation Internationale De L' Automobile or by the Alliance Internationale de Tourisme in the form approved and issued to him by a Club or Association guaranteed by the Western India Automobile Association and in respect of which all the rules and conditions relating to triptych or Carnet de Passages en Douane have been complied with; and

(c) satisfy the aforesaid officer that the vehicles and component parts which he has imported, correspond in all respects with those described in the triptych or Carnet de Passages en Douane and for this purpose produce the said vehicles and component parts for examination and record of particulars by such officer.

3. Generally subject to the provisions of the convention.

Explanation.—In this notification, "Convention" means the Customs Convention on the Temporary Importation of Private Road Vehicles, reproduced in the Annexure.

ANNEXURE I

INSTRUMENT OF RATIFICATION

Whereas, a Convention entitled "Customs Convention on the temporary importation of private road vehicles" has been established, which word for word is reproduced in the annexure to this document.

And whereas, it is fit and expedient to approve, accept, confirm and ratify the aforesaid International Convention and for the purpose reserve and stipulate the following conditions to the acceptance of Articles 1(e) and 2 of the said Convention by the Government of India;

With reference to article 1(e):

"'Legal' persons would be excluded from the categories of persons to whom concessions envisaged in this Convention are applicable."

With reference to article 2:

"Notwithstanding the provisions of article 2 of this Convention, persons normally resident outside India who, on the occasion of a temporary visit to India, take up paid employment or any other form of gainful occupation would be excluded."

Now, therefore, be it known that the Government of India, having seen and considered the said Convention on the temporary importation of private road vehicles, do hereby approve, accept, confirm and ratify the same, in every Article and Clause thereof subject to the stipulations referred to above in respect of Articles 1(e) and 2 of the said Convention.

Faithfully undertaking to perform and observe all the stipulations therein contained.

In testimony whereof I, Rajendra Prasad, President of India, have signed these Presents and affixed hereunto my Seal at New Delhi this 24th day of January of the year one thousand nine hundred and fifty-eight, in the eighth year of our Republic.

RAJENDRA PRASAD, President of India.

ANNEXURE II

CUSTOMS CONVENTION ON THE TEMPORARY IMPORTATION OF PRIVATE ROAD VEHICLES

THE CONTRACTING STATE,

Desiring to facilitate the development of international touring,

Having regard to the aims of the Convention on Road Traffic, adopted by the United Nations Conference on Road and Motor Transport held at Geneva from 23rd August to 19th September, 1949 and opened for signature at Geneva on 19th September, 1949,

Have decided to conclude a Convention and have agreed upon the following provisions:

CHAPTER I

DEFINITIONS

Article 1

For the purpose of this Convention:

- (a) The term "import duties and import taxes" shall mean not only Customs duties but also all duties and taxes whatever chargeable by reason of importation;
- (b) The term "vehicles" shall, unless the context otherwise requires, mean all road motor vehicles (including cycles with engines) and trailers (whether imported with the vehicle or separately), together with their component parts, and normal accessories and equipment, when imported with the vehicle;
- (c) The term "private use" shall exclude the transport of persons for remuneration, reward or other consideration and the industrial or commercial transport of goods with or without remuneration;
- (d) The term "temporary importation papers" shall include the Customs document showing the guarantee or deposit of import duties and import taxes;
- (e) The term "persons" shall mean both natural and legal persons unless the context otherwise requires.

CHAPTER II

IMPORTATION WITHOUT PAYMENT OF IMPORT DUTIES AND IMPORT TAXES AND FREE OF IMPORT PROHIBITIONS AND RESTRICTIONS

Article 2

1. Each of the Contracting States shall grant temporary admission without payment of import duties and import taxes and free of import prohibitions and restrictions, subject to re-exportation and to the other conditions laid down in this Convention, to vehicles owned by persons normally resident outside its territory which are imported and utilized, for their private use on the occasion of temporary visit, either by the owners of the vehicles or by other persons normally resident outside its territory.

2. Such vehicles shall be covered by temporary importation papers guaranteeing payment of import duties and import taxes, and if the case should arise, of any Customs penalties incurred, subject to the special provision of paragraph 4 of article 27.

Article 3

The fuel contained in the ordinary supply tanks of vehicles temporarily imported shall be admitted without payment of import duties and import taxes and free of import prohibitions and restrictions, it being understood that the ordinary tank is that designed by the maker for the type of vehicle concerned.

Article 4

1. Component parts imported for the repair of a particular vehicle already temporarily imported shall be admitted temporarily without payment of import duties and import taxes and free of import prohibitions and restrictions. Contracting States may require these parts to be covered by temporary importation papers.

2. Replaced parts which are not re-exported shall be liable to import duties and import taxes except where, in conformity with regulations of the country concerned, they may be abandoned free of all expense to the Exchequer or destroyed, under official supervision, at the expense of the parties concerned.

Article 5

Temporary importation papers and international circulation papers intended to be issued to persons residing in the country into which the papers are imported who wish to enter other countries and which are sent to the authorized touring associations by the corresponding foreign associations, by international organizations or by the Customs authorities of the Contracting States shall be admitted without payment of import duties and import taxes and free of import prohibitions and restrictions.

CHAPTER III

ISSUE OF TEMPORARY IMPORTATION PAPERS

Article 6

1. Subject to such guarantees and under such conditions as it may determine, each Contracting State may authorize associations, such as those affiliated to an international organization, to issue either directly or through corresponding associations the temporary importation papers covered by this Convention.

2. Temporary importation papers may be valid for a single country or Customs territory, or for several countries or Customs territories.

3. The period of validity of these papers shall not exceed a year from the date of issue.

Article 7

1. Temporary importation papers valid for the territories of all or several of the Contracting States shall be known as *cartes de passages en douane* and shall conform to the standard form contained in Annex I of this Convention.

2. If a *carte de passages en douane* is not valid for one or several territories, the issuing association shall indicate the fact on the cover and on the importation vouchers of the *carte*.

3. Temporary importation papers valid only for the territory of a single Contracting State may conform to the standard form contained in Annex 2 or in Annex 3 of this Convention. Contracting States may also use other documents, in accordance with their legislation or regulations.

4. The period of validity of temporary importation papers, other than those issued by authorized associations as provided for in article 6, shall be laid down by each Contracting State in accordance with its legislation or regulations.

5. Each Contracting State shall, upon request, supply the other Contracting States with models of temporary importation papers valid for its territory, other than those appearing in the annexes to this Convention.

CHAPTER IV

PARTICULARS ON TEMPORARY IMPORTATION PAPERS

Article 8

Temporary importation papers issued by authorized associations shall be made out in the name of the persons who own the vehicles temporarily imported or who have the possession or control of them provided that, if the vehicle has been hired, the papers shall be made out in the name of the hirer.

Article 9

1. The weight to be declared on temporary importation papers is the net weight of the vehicles. It shall be expressed in the metric system. In the case of papers valid for one country only, the Customs authorities of that country may prescribe the use of another system.

2. The value to be declared on temporary importation papers valid for one country only shall be expressed in the currency of that country. The value to be declared on a *carnet de passages en douane* shall be expressed in the currency of the country where the *carnet* is issued.

3. The articles and tool-kit which form the normal equipment of vehicles need not be specially declared on the temporary importation papers.

4. When the Customs authorities so require, parts (such as wheels, tyres and inner tubes) and accessories not considered as constituting the normal equipment of the vehicle (such as radio sets, trailers not declared on a separate document, or luggage carriers) shall be declared on the temporary importation papers with the necessary particulars (such as weight and value) and shall be produced on exit from the country visited.

Article 10

Any particulars inserted on temporary importation papers by the issuing association may be altered only with the approval of the issuing or guaranteeing association. No alteration to the papers may be made after they have been passed by the Customs authorities of the country of importation except with the consent of those authorities.

Article 11

1. Vehicles admitted under the cover of temporary importation papers may be used, for their private use, by third persons duly authorised by the holders of the papers, provided that those third persons normally reside outside the country of importation and also fulfil the other conditions laid down in this Convention. The Customs authorities of the Contracting States have the right to require evidence that such persons have been duly authorised by the holders of the papers and fulfil the aforesaid conditions. If this evidence does not appear sufficient, the Customs authorities may refuse use of the vehicle in their country under cover of the papers. In the case of vehicles which have been hired, each Contracting State may, in the case of fear of abuse, require that the holder of the temporary importation paper be present at the time of importation of the vehicle.

2. Notwithstanding the provision of the preceding paragraph, the Customs authorities of the Contracting States may permit, in special circumstances and under conditions of which they shall be sole judges, a vehicle circulating under cover of temporary importation papers to be driven by a person who is normally resident in the country of importation, in particular when the driver drives the vehicle on behalf of or under instructions from the holder of the temporary importation papers.

CHAPTER V

CONDITIONS OF TEMPORARY IMPORTATION

Article 12

1. The vehicles mentioned in the temporary importation papers shall be re-exported in the same general state, except for wear and tear, within the period of validity of such papers. In the case of vehicles which have been hired, the

Customs authorities of the Contracting States, shall have the right to require the re-exportation of the vehicle as soon as the hirer has left the country of temporary importation.

2. Evidence of re-exportation shall be provided by the exit visa properly appended to the temporary importation papers by the Customs authorities of the country into which the vehicles were temporarily imported.

Article 13

1. Notwithstanding the requirement of re-exportation laid down in article 12, the re-exportation of badly damaged vehicles shall not be required, in the case of fully authenticated accidents, provided that the vehicles :

- (a) are subjected to the import duties and import taxes to which they are liable; or
- (b) are abandoned free of all expense to the Exchequer of the country into which they were imported temporarily; or
- (c) are destroyed, under official supervision, at the expense of the parties concerned as the Customs authorities may require.

2. When a vehicle temporarily admitted cannot be re-exported as a result of a seizure, other than a seizure made at the suit of private persons, the requirement of re-exportation within the period of validity of the temporary importation papers shall be suspended for the duration of the seizure:

3. The Customs authorities shall notify, so far as possible, to the guaranteeing association, seizures made by or on behalf of these Customs authorities of vehicles admitted under cover of temporary importation papers guaranteed by that association and shall advise it of the measures they intend to take.

Article 14

Vehicles imported into the territory of one of the Contracting States under cover of temporary importation papers may not be used even incidentally for transport against payment, reward or other consideration between points within the frontiers of that territory.

Article 15

Persons entitled to temporary importation facilities may, during the period of validity of temporary importation papers, import the vehicles covered by those papers as often as necessary, on condition that they have each passage (entry and exit) established by a visa of the Customs officers concerned if the Customs authorities so require. Temporary importation papers may be made valid for a single journey only.

Article 16

When temporary importation papers without detachable vouchers for each passage are used, the visas given by the Customs officers between the first entry and the final exit are provisional. Nevertheless, when the last visa is a provisional visa, it will be admitted as proof of the re-exportation of the vehicle or component parts temporarily imported.

Article 17

When temporary importation papers with a detachable voucher for each passage are used, each entry implies the passing of the document by the Customs, and each subsequent exit constitutes its final discharge, except as provided in article 18.

Article 18

When the Customs authorities of a country have finally and unconditionally discharged temporary importation papers they can no longer claim from the guaranteeing association payment of import duties and import taxes, unless the certificate of discharge was obtained improperly or fraudulently.

Article 19

Visas on temporary importation papers used under the conditions laid down in this Convention shall not be subject to the payment of charges for Customs attendance during the authorized hours for Customs Offices and posts.

CHAPTER VI

Extension of Validity and Renewal of Temporary Importation Papers

Article 20

The lack of proof of re-exportation within the time allowed of vehicles temporarily imported shall be disregarded when the vehicles are presented to the Customs authorities for re-exportation within fourteen days from the expiry of the papers and satisfactory explanations of the delay are given

Article 21

Each of the Contracting States shall recognize as valid extensions of validity of *carnets de passages en douane* granted by another Contracting State in accordance with the procedure laid down in Annex 4 of this Convention

Article 22

1. Requests for extension of validity of temporary importation papers shall be presented to the competent Customs authorities before the expiry of the period of validity of these papers, unless this is rendered impossible by *force majeure*. If the temporary importation paper has been issued by an authorized association, the request for extension shall be made by the association which guarantees the papers.

2. Extensions of time necessary for the re-exportation of vehicles or component parts imported temporarily shall be granted when the persons concerned can establish to the satisfaction of the Customs authorities that they are prevented by *force majeure* from re-exporting the said vehicles or component parts within the time allowed

Article 23

Each of the Contracting States shall, unless the conditions of temporary admission are no longer satisfied, authorize, subject to whatever measures of control they may consider necessary, the renewal of temporary importation papers issued by the authorized associations and relating to vehicles or component parts temporarily imported into its territory. Requests for renewal shall be presented by the guaranteeing association.

CHAPTER VII

REGULATION OF TEMPORARY IMPORTATION PAPERS

Article 24

1 If temporary importation papers have not been regularly discharged, the Customs authorities of the country of importation shall (whether the papers have expired or not) accept as evidence of re-exportation of the vehicle or component parts the presentation of a certificate based on the standard form shown in Annex 5 of this Convention issued by an official authority (consul, Customs, police, mayor, judicial officer etc), attesting the facts that the vehicle or component parts in question have been presented to it and are outside the country of importation. They may also accept any other documentary evidence that the vehicle or component parts are outside the country of importation. In the case of papers, other than the *carnets de passages en douane*, which have not expired, the papers shall be produced at the same time as the evidence referred to above. In the case of *carnets* account shall be taken, as evidence of re-exportation of the vehicles or component parts, of the visas entered thereon by the Customs authorities of countries subsequently visited

2. In the case of the destruction, loss or theft of a temporary importation paper not regularly discharged but relating to a vehicle or component parts which have been re-exported, the Customs authorities of the country of importation shall accept as proof of re-exportation the presentation of a certificate based on the standard form shown in Annex 5 of this Convention issued by an official

authority (consul, Customs, police, mayor, judicial official, etc.), attesting the facts that the vehicle or component parts in question have been presented to it and are outside the country of importation after the date of expiry of the paper. They may also accept any other documentary evidence that the vehicle or component parts are outside the country of importation.

3. In the case of the destruction, loss or theft of a *carnet de passages en douane* while the vehicle or component parts to which it refers are in the territory of one of the Contracting States, the Customs authorities of that State shall, at the request of the association concerned, accept a replacement document, the validity of which expires on the date of expiration of validity of the *carnet* which it replaces. This acceptance will annul the previous acceptance of the *carnet* destroyed, lost or stolen. If, instead of a replacement document, an export licence or similar document is issued for the re-exportation of the vehicle or component parts, the exit visa on this licence or document shall be considered as sufficient proof of re-exportation.

4. If the vehicle is stolen after having been re-exported from the country of temporary importation, without the exit having been regularly endorsed on the temporary importation papers and in the absence of entry visas on the papers entered thereon by the Customs authorities of countries subsequently visited, the papers may nevertheless be regularized provided that the guaranteeing association furnishes the papers together with such evidence of theft as may be considered sufficient. If the temporary importation papers have not expired, the Customs authorities may require their surrender.

Article 25

In the cases referred to in article 24, the Customs authorities shall have the right to charge a regularization fee.

Article 26

Customs authorities shall not have the right to require from the guaranteeing association payment of import duties and import taxes on vehicles or component parts temporarily imported when the non-discharge of the temporary importation papers has not been notified to the guaranteeing association within a year of the date of expiry of the validity of those papers.

Article 27

1. The guaranteeing associations shall have a period of one year from the date of notification of the non-discharge of temporary importation papers in which to furnish proof of the re-exportation of the vehicles or component parts in question under the conditions laid down in this Convention.

2. If such proof is not furnished within the time allowed, the guaranteeing association shall forthwith deposit or pay provisionally the import duties and import taxes payable. This deposit or payment shall become final after a period of one year from the date of the deposit or provisional payment. During the latter period, the guaranteeing association may still avail itself of the facilities provided by the preceding paragraph with a view to repayment of the sums deposited or paid.

3. For countries whose regulations do not provide for the deposit or provisional payment of import duties, payments made in conformity with the provisions of the preceding paragraph will be regarded as final, it being understood that the sums paid may be refunded when the conditions laid down in this article are fulfilled.

4. In the case of the non-discharge of temporary importation papers, the guaranteeing association shall not be required to pay a sum greater than the total of the import duties and import taxes applicable to the vehicles or component parts not re-exported, together with interest if applicable.

Article 28

In the event of fraud, contravention or abuse the Contracting States shall, notwithstanding the provisions of this Convention, be free to take proceedings, against persons using temporary importation papers, for the recovery of the import duties and import taxes and also for the imposition of any penalties to which such persons have rendered themselves liable. In such cases, the guaranteeing associations shall lend their assistance to the Customs authorities.

CHAPTER VIII

MISCELLANEOUS PROVISIONS

Article 29

The Contracting States shall endeavour not to introduce Customs procedures which might have the effect of impeding the development of international touring.

Article 30

In order to expedite customs procedures contiguous Contracting States shall endeavour to place their respective Customs posts close together and to keep them open during the same hours.

Article 31

Any breach of the provisions of this Convention, any substitution, false declaration or act having effect of causing a person or an article improperly to benefit from the system of importation laid down in this Convention, may render the offender liable in the country where the offence was committed to the penalties prescribed by the laws of that country.

Article 32

Nothing in this Convention shall prevent Contracting States which form a customs or economic union from enacting special provisions applicable to residents of the States forming that union.

CHAPTER IX

FINAL PROVISIONS

Article 33

1. This Convention shall be open for signature until 31 December 1954 on behalf of any State Member of the United Nations and any other State invited to attend the United Nations Conference on Customs Formalities for the Temporary Importation of Private Road Motor Vehicles and for Tourism held in New York in May and June 1954, hereinafter referred to as the Conference.

2. This Convention shall be subject to ratification and the instruments of ratification shall be deposited with the Secretary-General of the United Nations.

Article 34

1. From 1 January 1955 this Convention shall be open for accession by any State referred to in paragraph 1 of article 33 and any other State so invited by the Economic and Social Council of the United Nations. It shall also be open for accession on behalf of any Trust Territory of which the United Nations is the Administering Authority.

2. Accession shall be effected by the deposit of an instrument of accession with the Secretary-General of the United Nations.

Article 35

1. This Convention shall enter into force on the ninetieth day following the date of the deposit of the fifteenth instrument of ratification or accession either without reservation or with reservations accepted in accordance with article 39.

2. For each State ratifying or acceding to the Convention after the date of the deposit of the fifteenth instrument of ratification or accession in accordance with the preceding paragraph, the Convention shall enter into force on the ninetieth day following the date of the deposit by such State of its instrument of ratification or accession either without reservation or with reservations accepted in accordance with article 39.

Article 36

1. After this Convention has been in force for three years, any Contracting State may denounce it by so notifying the Secretary-General of the United Nations.

2. Denunciation shall take effect fifteen months after the date of receipt by the Secretary-General of the United Nations of the notification of denunciation.

Article 37

This Convention shall cease to have effect if, for any period of twelve consecutive months after its entry into force, the number of Contracting States is less than eight.

Article 38

1. Any State may, at the time of the deposit of its instrument of ratification or accession or at any time thereafter, declare by notification addressed to the Secretary-General of the United Nations that this Convention shall extend to all or any of the territories for the international relations of which it is responsible. The Convention shall extend to the territories named in the notification as from the ninetieth day after its receipt by the Secretary-General if the notification is not accompanied by a reservation, or from the ninetieth day after the notification has taken effect in accordance with article 39, or on the date on which the Convention enters into force for the State concerned, whichever is the later.

2. Any State which has made a declaration under the preceding paragraph extending this Convention to any territory for whose international relations it is responsible may denounce the Convention separately in respect of that territory in accordance with the provisions of article 36.

Article 39

1. Reservations to this Convention made before the signing of the Final Act shall be admissible if they have been accepted by a majority of the members of the Conference and recorded in the Final Act.

2. Reservations made after the signing of the Final Act shall not be admitted if objection is expressed by one-third of the Signatory States or of the Contracting States as hereinafter provided.

3. The text of any reservation submitted to the Secretary-General of the United Nations by a State at the time of the signature, the deposit of an instrument of ratification or accession or of any notification under article 38 shall be circulated by the Secretary-General to all States which have at that time signed, ratified or acceded to the Convention. If one-third of these States expresses an objection within ninety days from the date of circulation, the reservation shall not be accepted. The Secretary-General shall notify all States referred to in this paragraph of any objection received by him as well as of the acceptance or rejection of the reservation.

4. An objection by a State which has signed but not ratified the Convention shall cease to have effect if, within a period of nine months from the date of making its objection, the objecting State has not ratified the Convention. If, as the result of an objection ceasing to have effect, a reservation is accepted by application of the preceding paragraph, the Secretary-General shall so inform the States referred to in that paragraph. The text of any reservation shall not be circulated to any signatory State under the preceding paragraph if that State has not ratified the Convention within three years following the date of signature on its behalf.

5. The State submitting the reservation may, within a period of twelve months from the date of the notification by the Secretary-General referred to in paragraph 3 that a reservation has been rejected in accordance with the procedure provided for in that paragraph, withdraw the reservation, in which case the instrument of ratification or accession or the notification under article 38 as the case may be shall take effect with respect to such State as from the date of the withdrawal. Pending such withdrawal, the instrument or the notification as the case may be, shall not have effect, unless, by application of the provisions of paragraph 4, the reservation is subsequently accepted.

6. Reservations accepted in accordance with this article may be withdrawn at any time by notification to the Secretary-General.

7. No contracting State shall be required to extend to a State making a reservation the benefit of the provisions to which such reservation applies. Any State availing itself of this right shall notify the Secretary-General accordingly and the latter shall communicate this decision to all signatory and Contracting States.

Article 40

1. Any dispute between two or more Contracting States concerning the interpretation or application of this Convention shall so far as possible be settled by negotiation between them.

2. Any dispute which is not settled by negotiation shall be submitted to arbitration if any one of the Contracting States in dispute so requests and shall be referred accordingly to one or more arbitrators selected by agreement between the States in dispute. If within three months from the date of the request for arbitration the States in dispute are unable to agree on the selection of an arbitrator or arbitrators, any of those States may request the President of the International Court of Justice to nominate a single arbitrator to whom the dispute shall be referred for decision.

3. The decision of the arbitrator or arbitrators appointed under the preceding paragraph shall be binding on the Contracting States concerned.

Article 41

1. After this Convention has been in force for three years, any Contracting State may, by notification to the Secretary-General of the United Nations, request that a conference be convened for the purpose of reviewing the Convention. The Secretary-General shall notify all Contracting States of the request and a review conference shall be convened by the Secretary-General if, within a period of four months following the date of notification by the Secretary-General, not less than one-half of the Contracting States notify him of their concurrence with the request.

2. If a conference is convened in accordance with the preceding paragraph, the Secretary-General shall notify all Contracting States and invite them to submit within a period of three months such proposals as they may wish the conference to consider. The Secretary-General shall circulate to all Contracting States the provisional agenda for the conference together with the texts of such proposals at least three months before the date on which the conference is to meet.

3. The Secretary-General shall invite to any conference convened in accordance with this article all Contracting States and all other States Members of the United Nations or of any of the specialized agencies.

Article 42

1. Any Contracting State may propose one or more amendments to this Convention. The text of any proposed amendment shall be transmitted to the Secretary-General of the United Nations who shall circulate it to all Contracting States.

2. Any proposed amendment circulated in accordance with the preceding paragraph shall be deemed to be accepted if no Contracting State expresses an objection within a period of six months following the date of circulation of the proposed amendment by the Secretary-General.

3. The Secretary-General shall notify as soon as possible all Contracting States whether an objection to the proposed amendment has been expressed, and if no such objection has been expressed, the amendment shall enter into force for all Contracting States three months after the expiration of the period of six months referred to in the preceding paragraph.

Article 43

The Secretary-General of the United Nations shall notify all Member States of the United Nations and all other States invited to attend the Conference of the following:

- (a) Signatures, ratifications and accessions, received in accordance with articles 33 and 34;
- (b) The date upon which this Convention shall enter into force in accordance with article 35;
- (c) Denunciations received in accordance with article 36;
- (d) The abrogation of this Convention in accordance with article 37;
- (e) Notifications received under article 38;
- (f) Entry into force of any amendment in accordance with article 42.

Article 44

The original of this Convention shall be deposited with the Secretary-General of the United Nations who shall transmit certified copies thereof to all Members of the United Nations and all other States invited to the Conference.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Convention.

DONE at New York this fourth day of June, one thousand nine hundred and fifty-four, in a single copy in the English, French and Spanish languages, each text being equally authentic.

The Secretary-General is requested to prepare an authoritative translation of this Convention in the Chinese and Russian languages and to add the Chinese and Russian texts to the English, French and Spanish texts when transmitting certified copies thereof to the States in accordance with article 44 of this Convention.

*ANNEX I**"CARNET DE PASSAGES EN DOUANE"*

The *carnet* is issued in French.

The dimensions are 22 x 27 cm.

The issuing association shall insert its name on each voucher and shall include the initials of international organization to which it belongs.

[International Organization]

CARNET DE PASSAGES EN DOUANE

FOR MOTOR VEHICLES AND TRAILERS

No. 

VALID FOR ONE YEAR, i.e., until

[Insert the date in red ink]

subject to compliance by the holder during this period with the Customs laws and regulations of the countries visited.



Issued by

Holder

[BLOCK LETTERS]

Normal residence or business address

[BLOCK LETTERS]

For the vehicle registered in under No.

This carnet may be used in the following countries

(LIST OF COUNTRIES)

[Inside front cover]

DESCRIPTION OF VEHICLE

EXTENSION OF VALIDITY

- 7 **MOTOR VEHICLE** driven by internal combustion, electrically, steam, **TRAILER**
- 8 **Type** (car, bus, lorry, tractor, motor cycle with or without side-car, cycle with auxiliary engine)
- 9 Registered in under No
- 10 **Chassis** { Make
- 11 { No
- 12 { Make
- 13 **Engine** { No
- 14 { Number of cylinders
- 15 { Horse power
- 16 { Type or shape
- 17 **Coachwork** { Colour
- 18 { Upholstery
- 19 { Number of seats or carrying capacity
- 20 Spare tyres
- 21 Radio (indicate make)
- 22 Other particulars
- 23
- 24
- 25
- 26 Net weight of vehicle in kg.
- 27 Value of vehicle

Delete words
not applicable

- 28 Issued at the 19
- 29 On condition that the holder re-exports the vehicle within the specified period of validity and complies with the Custom law and regulations relating to the temporary admission of motor vehicles in the countries visited under the guarantee in each country where the document is valid, the authorized association affiliated to the undersigned international organization. On expiry the carnet must be returned to the association which delivered it to the holder.
- 30 Holder's signature Signature of Secretary General of the international organization Signature (authorized official) of the issuing association

COUNTERFOIL

- 2 Importation into
- 3 of the vehicle described in carnet
- 4 No.
- 5 took place on
- 6 at the Customs Office of



8 Customs Officer's signature

9 Exportation from

- 10 took place on
- 11 at the Customs Office of



13 Customs Officer's signature

EXPORTATION VOUCHER

- 2 Of Carnet de Passages en Douane No.
- 3 VALID until
- 4 Issued by
- 5 Holder [Block letters]
- 6 Normal residence or business address [Block letters]
- 7 For a MOTOR VEHICLE driven by internal combustion, electricity or steam, TRAILER Delete words not applicable
- 8 Type (car, bus, lorry, van, tractor, motorcycle with or without sidecar, cycle with auxiliary engine)
- 9 Registered in under No.
- 10 Chassis Make
- 11 No
- 12 Make
- 13 No
- 14 Engine Number of cylinders
- 15 Horse power
- 16 Type or shape
- 17 Colour
- 18 Coachwork Upholstery
- 19 Number of seats or carrying capacity
- 20 Spare tyres
- 21 Radio (indicate make)
- 22 Other particulars
- 23
- 24
- 25
- 26 Net weight of vehicle in kg
- 27 Value of vehicle
- 28 Date of exportation
- 29 At the Customs Office of
- 30 Voucher registered under No.



32 Customs Officer's signature

33 To be returned to the Customs Office of importation at

4 Where the carnet has been registered under No.

IMPORTATION VOUCHER

- 2 Of Carnet de Passages en Douane No.
- 3 VALID until
- 4 Issued by
- 5 Holder [Block letters]
- 6 Normal residence or business address [Block letters]
- 7 For a MOTOR VEHICLE driven by internal combustion, electricity or steam, TRAILER Delete words not applicable
- 8 Type (car, bus, lorry, van, tractor, motorcycle with or without sidecar, cycle with auxiliary engine) under No.
- 9 Registered in
- 10 Chassis Make
- 11 No
- 12 Make
- 13 No
- 14 Engine Number of cylinders
- 15 Horse power
- 16 Type or shape
- 17 Colour
- 18 Coachwork Upholstery
- 19 Number of seats or carrying capacity
- 20 Spare tyres
- 21 Radio (indicate make)
- 22 Other particulars
- 23
- 24
- 25
- 26 Net weight of vehicle in kg
- 27 Value of vehicle
- 28 Date of importation
- 29 At the Customs Office of
- 30 Voucher registered under No.



32 Customs Officer's signature

33 N.B.—The Customs Officer should fill in lines 33 and 34 of the adjacent exportation voucher

[Reverse side of insert pages]

I declare that the particulars overleaf are true and correct, that I am normally resident outside the country of importation, that I am visiting that country only for a temporary period, that I will comply with all Customs conditions and requirements regarding the temporary importation of vehicles/trailers and that I will re-export the vehicle/trailer referred to overleaf within the period of validity of this document.

.....[Holder's signature]

[Pages 3 and 4 of the cover]

The following information is provided by the issuing association to motorists.

Sec. 3 (1)]

THE GAZETTE OF INDIA EXTRAORDINARY

318/17

ANNEX 2

TRIPTYCH

The triptych should be printed in the national language of the country of importation and if desired, also in one other language.

The dimensions are 13 x 29·5 cm.

1. IMPORTATION VOUCHER

This voucher to be detached and retained by the Customs Office of Importation.

TRIPTYCH No. _____

For _____
(country of validity)

VALID until _____

Guaranteed by _____
Delivered by _____
Holder _____
Normal residence _____
or business address _____

(block letters)

For a MOTOR VEHICLE driven by internal combustion, electricity, steam, TRAILER

Type (car, bus, lorry, van, tractor, motorcycle with or without sidecar, cycle with auxiliary engine)

Delete words not applicable

Registered in _____ under No. _____

Chassis { Make _____
No. _____

Engine { Make _____
No. _____

Number of cylinders _____
Horse power _____

Coachwork { Type or shape _____
Colour _____

Upholstery _____
Number of seats or carrying capacity _____

Spare tyres _____
Radio (indicate make) _____

Other particulars _____

Net weight of vehicle, in kg. _____
Value of vehicle _____

Date of importation _____
At the Customs Office of _____

Voucher registered under No. _____



Customs Officer's signature

The Customs Officer should make a similar entry in the corresponding section of Vouchers Nos. 2 and 3

TEMPORARY EXITS AND RE-ENTRIES

Customs stamps and Customs Officers' signatures on temporary exits and re-entries

	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	EXIT
ENTRY	

3. HOLDER'S COPY

This voucher is to be retained by the holder after having been stamped and signed by the Customs authorities (1) on first importation into _____ and (2) on final re-exportation from _____ and must subsequently be returned to _____ (association which delivered the document to the holder)

TRIPTYCH No. _____

For _____
(country of validity)

VALID until _____

Guaranteed by _____
Delivered by _____
Holder _____
Normal residence _____
or business address _____

(block letters)

For a MOTOR VEHICLE driven by internal combustion, electricity, steam, TRAILER

Type (car, bus, lorry, van, tractor, motorcycle with or without sidecar, cycle with auxiliary engine)

Delete words not applicable

Registered in _____ under No. _____

Chassis { Make _____
No. _____

Engine { Make _____
No. _____

Number of cylinders _____
Horse power _____

Coachwork { Type or shape _____
Colour _____

Upholstery _____
Number of seats or carrying capacity _____

Spare tyres _____
Radio (indicate make) _____

Other particulars _____

Net weight of vehicle, in kg. _____
Value of vehicle _____

Date of importation _____
At the Customs Office of _____

Voucher registered under No. _____



Customs Officer's signature

The Customs Officer should make a similar entry in the corresponding section of Vouchers Nos. 1 and 2

Date of final re-exportation _____
At the Customs Office of _____



Customs Officer's signature

The Customs Officer should make a similar entry at the foot of Voucher No. 2

TRIPTYCHFor _____
(country of validity)

No. _____

This vehicle is imported subject to the holder's obligation to re-export it by the date specified above and to comply with the Customs laws and regulations relating to the temporary admission of motor vehicles in the countries visited under the guarantee of _____ (the guaranteeing association) in virtue of an undertaking which the latter association has given to _____ (the Customs authority) ..
the 19 ..

Signature of the Secretary
of the guaranteeing association ..

Signature of holder ..

2 EXPORTATION VOUCHER

This voucher to be detached and retained at the Customs Office of exportation, to be forwarded to the Customs Office of the first importation.

TRIPTYCH No. _____For _____
(country of validity)**VALID until** _____

Guaranteed by
Delivered by
Holder
Normal residence } (block
or business address } letters)
For a MOTOR VEHICLE driven by internal }
combustion, electricity steam TRAILER } Delete
Type (car bus lorry van tractor, motorcycle } words
with or without sidecar cycle with auxiliary } not
engine) } applicable
Registered in under No
Chassis { Make
 { No
 { Make
 { No
Engine { Number of cylinders
 { Horse power
Coachwork { Type or shape
 { Colour
 { Upholstery
 { Number of seats or carrying capacity
Spare tyres
Radio (indicate make)
Other particulars

Net weight of vehicle in kg
Value of vehicle

Date of importation
At the Customs Office of

Voucher registered under No



Customs Officer's signature

The Customs Officer should make a similar entry in the corresponding section of Vouchers Nos. 1 and 3

Date of final re-exportation
At the Customs Office of



Customs Officer's signature

The Customs Officer should make a similar entry at the foot of Voucher No. 3

ANNEX 3

DIPTYCH

The diptych is printed in the national languages of the two countries to which it relates.

The dimensions are 11 x 24.5 cm.

The diptych comprises:

- (1) A counterfoil with a detachable sticker.
- (2) Holder's voucher with a certificate of identification, models of which are contained in the present annex.

The diptych dispenses with the passing of the document by the Customs authority of the country of importation and with entry and exit visas. The document is used as follows:

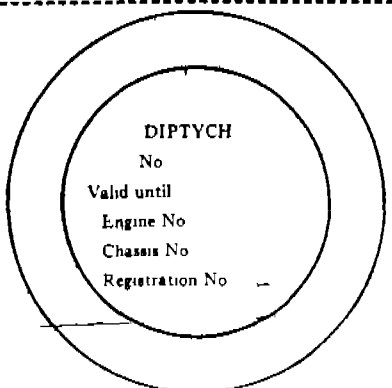

The diptych is issued by the authorized association of the country of registration of the vehicle. The counterfoil is retained by the issuing association. The detachable sticker is affixed to the windscreen of the vehicle.

The voucher is given to the holder who must return it to the issuing association with the certificate of identification duly completed within fifteen days from the date of expiry of the document.

A list of all documents which expired in the preceding month and which have not been regularized is submitted by the issuing association to the Customs authorities of its country for transmission to the Customs authorities of the country of temporary importation. The guaranteeing association of the country of temporary importation is responsible for the payment of import duties and import taxes claimed by the Customs authorities.

The sticker, affixed to the windscreen of the vehicle, enables the Customs authorities of the exit office and of the office of entry into the country of temporary importation to see immediately that the vehicle is covered by a Customs pass the presentation of which they may, if necessary, require.

[Cover pages]

Issuing association _____ <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> Document authorizing the temporary importation into _____ of the DIPTYCH No. _____ motor vehicle registered in _____ / _____ VALID until _____ Holder _____ Normal residence _____ } (block letters) or business address _____ For a MOTOR VEHICLE driven by internal combustion electricity steam TRAILER } Delete words not applicable Type (car bus lorry, van tractor motorcycle with or without sidecar, cycle with auxiliary engine) Registered in _____ under No _____ Chassis { Make _____ { No _____ Engine { Make _____ { No _____ { Number of cylinders _____ { Horse power _____ Coachwork { Type or shape _____ { Colour _____ { Upholstery _____ { Number of seats or carrying capacity _____ Spare tyres _____ Radio (indicate make) _____ Other particulars _____ _____ Net weight of vehicle in kg. _____ Value of vehicle _____ <hr style="border-top: 1px dashed black;"/> <div style="text-align: center; margin-top: 20px;">  </div>	Issuing association _____ <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> Document authorizing the temporary importation into _____ of the DIPTYCH No. _____ motor vehicle registered in _____ / _____ VALID until _____ Holder _____ Normal residence _____ } (block letters) or business address _____ For a MOTOR VEHICLE driven by internal combustion electricity steam TRAILER } Delete words not applicable Type (car bus lorry, van tractor, motorcycle with or without sidecar, cycle with auxiliary engine) Registered in _____ under No _____ Chassis { Make _____ { No _____ Engine { Make _____ { No _____ { Number of cylinders _____ { Horse power _____ Coachwork { Type or shape _____ { Colour _____ { Upholstery _____ { Number of seats or carrying capacity _____ Spare tyres _____ Radio (indicate make) _____ Other particulars _____ _____ Net weight of vehicle in kg. _____ Value of vehicle _____ This vehicle is imported subject to the holder's obligation to re-export it by the date specified above and to comply with the Customs laws and regulations relating to the temporary admission of motor vehicles in the countries visited, under the guarantee of _____ (the guaranteeing association) in virtue of an undertaking which the latter association has given to the Customs authorities <div style="text-align: right; margin-right: 50px;">the 19</div> <div style="text-align: center; margin-top: 10px;">  </div> Signature of the Secretary of the guaranteeing association _____ Signature of holder _____ On the expiry of this voucher the holder must arrange for completion of the identification certificate on the reverse side and return the volet to the issuing association
--	---

¹ Space reserved for indication of the two countries jointly authorizing the use of the diptych for vehicles registered in one of them to be temporarily imported into the other and vice versa

[Inside pages]

IDENTIFICATION CERTIFICATE

To be completed by one of the authorities indicated below and returned to the issuing association on expiry of the holder's voucher

the 19

We the undersigned

(1)

certify that the vehicle described on the reverse side, was presented for our inspection this day (2)

the property of Mr

resident at

In witness whereof we have issued this certificate

We have this day destroyed the sticker affixed to the said vehicle

Stamp

Signature

I hereby undertake to comply with the Customs laws and regulations relating to temporary importation into

, subject to the legal penalties, and to arrange for this tourism document to be authorized by

The holder

Signature

The issuing association guarantees the undertakings given above to the full extent of the duties and taxation applicable to the vehicle described and in respect of which this document is issued

Signature and stamp

(1) Customs officer, mayor, commissioner of police or of gendarmerie, notary, court official or any other departmental official entitled to use an official stamp

(2) The description of this vehicle is to be verified in all particulars and any discrepancies noted

ANNEX 4

EXTENSION OF VALIDITY OF THE "CARNET DE PASSAGES EN DOUANES"

1. The stamp for extension of validity shall conform to the model contained in the present annex.

The stamp shall be drawn up in French. The inscribed wording may be repeated in another language.

2. The following procedure shall be observed by the person requesting the extension and by the guaranteeing association dealing with the request:

(a) As soon as the holder of a *carnet de passages en douane* realizes that he is obliged to request an extension of the period of validity of the document, he sends to the guaranteeing association the *carnet* and a request for extension, indicating the circumstances which oblige him to make the request. He will submit with him request, as supporting evidence, such papers as a medical certificate, a statement from the garage repairing his vehicle, or any other authentic document showing that the delay in question is caused by *force majeure*.

(b) If the guaranteeing association considers that the request for extension might be passed on to the Customs authorities, it stamps the cover of the *carnet de passages en douane* in the space specially reserved for this purpose.

(c) In the left-hand side of the stamp the guaranteeing association fills in the date, in figures and words, until which the extension is requested. The President or representative of the association signs and the stamp of the association is affixed.

(d) The length of the extension must not exceed a reasonable period necessary to complete the journey, and should not normally exceed three months from the previous date of expiry of the *carnet*.

(e) The guaranteeing association then sends the *carnet* to the competent Customs authority of its country. The request made by the holder of the *carnet* and the supporting evidence are attached to the *carnet*.

(f) The Customs authority decides whether the extension shall be granted. It may reduce the period of extension requested, or refused to grant any extension. If it is granted, the competent Customs officer completes the stamp placed on the cover of the *carnet* by the guaranteeing association, by adding a serial or registry number, the place and date and his own official position. He then signs and adds the Customs stamp.

(g) The *carnet* is then returned to the guaranteeing association, which in turn returns it to the person concerned.

Country	No.....
Guaranteeing association	Extension granted until
<p>The extension of validity for all countries where this <i>carney</i> is valid, is requested until.....</p> <p>..... (in figures and words)</p> <p>..... the 19....</p>	
<div data-bbox="585 872 749 1038" data-label="Image"> </div> <div data-bbox="851 910 1153 1014" data-label="Text"> <p>Signature of the President or representative of the guaranteeing association</p> </div>	<div data-bbox="1218 906 1338 1026" data-label="Image"> </div> <div data-bbox="1454 930 1779 988" data-label="Text"> <p>Signature and official position of the Customs officer</p> </div>

ANNEX 5

MODEL CERTIFICATE FOR THE ADJUSTMENT OF UNDISCHARGED, DESTROYED, LOST OR STOLEN TEMPORARY IMPORTATION PAPERS

(This certificate must be completed either by a Consular authority of the country in which the papers should have been discharged, or by an official authority (Customs, police, mayor, judicial officer, etc.) of the country in which the vehicle is examined).

[name of country]

The undersigned authority

certifies that this day 19 [date to be given in full]

a vehicle was produced at [place and country]

by [name, christian name and address]

which was found on examination to be of the following description:

Type of vehicle (car, bus, etc.)

Registered in under No.

Chassis { Make
No.

Engine { Make
No.
Number of cylinders
Horse power

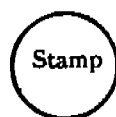
Coachwork { Type or shape
Colour
Upholstery
Number of seats
or carrying capacity

Spare tyres

Radio (indicate make)

Other particulars

As applicable { 1st formula { This examination has been made on presentation of the following temporary importation papers issued for the above vehicle.
(carnet or triptych reference number, date and place of issue, name of issuing body)
2nd formula No temporary importation papers were produced



Signed at

on the

Signature(s)

Official position

CENTRAL BOARD OF REVENUE
NOTIFICATION
CUSTOMS

New Delhi, the 3rd August 1958

G.S.R. 661-B.—In exercise of the powers conferred by section 75 of the Sea Customs Act, 1878 (8 of 1878), as in force in India and as applied to the State of Pondicherry, the Central Board of Revenue hereby makes the following rules for passing free of import duty baggage landed at Customs Sea Ports by tourists from foreign ports, namely:—

1. Short title, Commencement and Application.—(1) These rules may be called the Tourist Baggage Rules, 1958.

(2) They shall come into force on the 3rd August, 1958.

(3) These rules shall not apply to persons coming from Pakistan and the Portuguese possessions in India.

2. Interpretation.—For the purpose of these rules, the term 'tourist' means any person not normally resident in India, who enters India for a stay of not less than twenty-four hours and not more than six months in the course of any twelve months period, for legitimate non-immigrant purposes, such as touring, recreation, sports, health, family reasons, study, religious pilgrimages or business.

3. Exemption from Customs Duty for Personal Effects Imported Temporarily.—

(1) Subject to the other conditions laid down in these rules, the personal effects imported by a tourist shall be allowed to be imported temporarily free of import duty, provided that they are for the personal use of the tourist, are carried on the person of or in the luggage accompanying the tourist, that there is no reason to fear abuse, and that these personal effects are re-exported by the tourist on his leaving India or the State of Pondicherry for a foreign destination.

Explanation.—The term "personal effects" means all clothing and other articles new or used which a tourist may personally and reasonably require, taking into account all the circumstances of his visit, but excluding all merchandise imported for commercial purposes, and includes—

- (i) personal jewellery;
- (ii) one camera with twelve plates or five rolls of film;
- (iii) one miniature cinematograph camera with two reels of film;
- (iv) one pair of binoculars;
- (v) one portable musical instrument;
- (vi) one portable gramophone with ten records;
- (vii) one portable sound-recording apparatus;
- (viii) one portable wireless receiving set;
- (ix) one portable typewriter;
- (x) one perambulator;
- (xi) one tent and other camping equipment;
- (xii) sports equipment such as one fishing outfit, one sporting firearm with fifty cartridges, one non-powered bicycle, one canoe or kayak less than 5½ metres long, one pair of skis, two tennis rackets.

(2) Subject to the other conditions laid down in these rules, a tourist shall be allowed to import free of customs duty the following articles for his personal use, provided that these articles are carried on the person of or in the hand luggage accompanying the tourist, and there is no reason to fear abuse:—

- (i) cigarettes 200, cigars 50, Tobacco 250 grammes;
- (ii) one regular size bottle of wine and one quarter litre of spirits;
- (iii) one-quarter litre of toilet water, a small quantity of perfume, and medicines in reasonable quantities.

4. Exemption from Customs Duty for Travel Souvenirs Imported Temporarily.—

In addition to the articles specified in rule 3, a tourist may also be allowed to import temporarily free of customs duty travel souvenirs for a total value not exceeding Rs. 250/- provided that such souvenirs are carried on the person of

or in the luggage accompanying the tourist, they are not intended for commercial purposes, and they are re-exported by the tourist on his leaving India or the State of Pondicherry for a foreign destination.

5. Undertaking to be given to Customs Authorities in certain cases.—(1) Notwithstanding the provisions of rules 3 and 4, no article of a high value such as sound-recording apparatus, wireless receiving sets, and the like shall be passed free of Customs duty unless the tourist gives an undertaking in writing to the Customs Collector to re-export it out of India or the State of Pondicherry on his leaving India or the said State for a foreign destination or, on his failure to so re-export to pay up the Customs duty leviable thereon.

(2) Every tourist shall be given on arrival and after the examination of his baggage, a list of articles of high value brought by him signed by the Customs officer who examines his baggage. If no such article of high value is imported, a nil list, similarly signed, shall be given. Unless the list is produced by the tourist to the Customs officer at the time of examination of his baggage on his departure from India or the State of Pondicherry for a foreign destination along with the articles, if any listed therein, his baggage may not be allowed clearance through the Customs for export.

6. Provision regarding unaccompanied baggage.—Notwithstanding anything to the contrary in the foregoing rules, bonafide baggage and goods eligible for the concessions under the foregoing provisions and landed at any Customs port within two months before or after the arrival of the tourist in India, may be passed subject to the condition applicable to baggage accompanying a tourist, provided the Customs Collector is satisfied that they could not be brought along with the tourist due to reasons entirely beyond his control.

7. Refusal of Exemption in certain cases.—Notwithstanding anything contained in these rules, the Customs Collector may refuse to a tourist exemptions granted by these rules in any of the following cases, namely:—

- (a) when the total quantity of a commodity imported by a tourist exceeds substantially the limit laid down in these rules;
- (b) where the tourist enters India or the State of Pondicherry more than once a month;
- (c) where the tourist is under 17 years of age.

8. The Tourist Baggage Rules, 1957, and the rules published with the Central Board of Revenue Notification No. 31—Customs, dated the 30th August, 1930, as amended from time to time (for passing free of import duty baggage landed at Customs ports by passengers from foreign ports in Ceylon) in so far as these latter rules relate to matters covered by these rules, are hereby repealed except as respects things done or omitted to be done.

[No. 225]

M. A. RANGASWAMY, Secy.